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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/675,548	09/30/2003	Walter Karl Stavenjord	FMDM:002US/10606035	5963

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AUSTIN, TX 78701

EXAMINER

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ART UNIT	PAPER NUMBER
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3633

NOTIFICATION DATE	DELIVERY MODE
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02/07/2011

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte WALTER KARL STAVENJORD

Appeal 2009-014687
Application 10/675,548
Technology Center 3600

Before DALE M. SHAW, *Division 2 Support Administrator*.

ORDER REMANDING APPEAL TO EXAMINER

This application was electronically received by the Board of Patent Appeals and Interferences on August 31, 2009. A Docketing Notice was mailed on September 8, 2009. Upon review of the application, it has been determined that a remand to the Examiner is necessary to consider the following issues and to take necessary corrective action. A prior Return was mailed on June 30, 2009 which the Examiner has not properly addressed.

REPLY BRIEF NOT CONSIDERED

A Reply Brief was filed in this application on September 14, 2009. Though there is an entry in PALM indicating that the Examiner has considered the Reply Brief, a corresponding document was not filed in the IFW. Thus there is no evidence on the record indicating that the Examiner has considered the Reply Brief in accordance with 37 CFR § 41.43(a)(1) and MPEP § 1208, part II.

Accordingly, it is ordered that the application is remanded to the Examiner:

- 1) to consider the Reply Brief filed September 14, 2009 as indicated above; and
- 2); and for further action as may be appropriate.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

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